argument when he spoke. He had merely explained his own views.

Mr. Bowie said that the arguments were one and the same; and they were all based upon the assumption that it was not in the power of a State to superadd a qualification to those prescribed in the Constitution of the United States, without looking to the more important inquiry, whether the superadded qualification was in conflict with the constitutional qualification or not. In looking to the case of the contested election of McCreery and Barney, from which the gentleman from Kent (Mr. Chambers) had so largely read this morning, it would be found that those who took the ground now taken by the gentleman from Kent, and the gentleman from Frederick, were men belonging to the old Federal school, who favored a concentration of power in the hands of the Congress of the United States, while those opposed to such concentration, such as *Mr. Randolph*, *Mr. Bibb*, and others, had taken the opposite ground, and had submitted as lucid, and satisfactory arguments in support of their views, as had ever been presented to the public when the division was between these two classes of politicians, was it to be said, as the gentleman from Kent had said, that the well-settled and deliberate opinion of the country was all one way? In reference to the election of members of the House of Representatives, as to the time, place and manner of holding the elections, it was very evident, said Mr. B., that the States, in the absence of any legislation by Congress, had entire and complete jurisdiction over those subjects. Whatever powers Congress possessed over these subjects, the States themselves possessed in the absence of Federal legislation. This was expressly provided for in the fourth section of the first article of the Constitution of the United States. "The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time, by law, make or alter such *regulations*, except as to the place of choosing Senators." It was no more in the power of Congress to superadd qualifications or to make regulations not prescribed in the Constitution of the United States than it was in the power of the States to do so. From the time of the adoption of the Constitution to within a few years past, the States, with but few exceptions, had established congressional districts, and no one had ever doubted the power. But Congress, not many years ago, had assumed jurisdiction over the subject, and passed a law requiring the States to establish a uniform system of congressional districts throughout the Union. This law the States had conformed to, and under it all our congressional elections were now held. To test the soundness of gentlemen's opinions, Mr. B. would ask, whether, now that Congress had assumed jurisdiction over the subject, and passed such a law, it was competent for the people of one congressional district to elect to the House of Representatives a person residing in another district? If so, then the act of Congress was of no value, and all our State legislation in conformity to it was but idle mockery. But Congress, said Mr. B., had passed no laws upon the subject of the election of United States Senators. It follows as a consequence that the States can exercise the same powers in reference to the election of Senators, that they formerly possessed in regard to the elections of members of the House of Representatives. If they had the power to form congressional districts, they have now the same power to establish senatorial districts. All that the Constitution of the United States required on this subject was that the person elected should be an inhabitant of the State from which he was elected. If he was an inhabitant of a senatorial district in the State, he must necessarily be an inhabitant of the State. He was not less an inhabitant of the State because elected from a particular district. He could not see how gentlemen could escape the force of the argument.

The gentleman from Kent, (Mr. Chambers,) had appealed to him to withdraw the amendment he had proposed. If gentlemen from the Eastern Shore thought proper to abandon their constitutional rights, and to trust simply to an act of Assembly, which was in its nature repealable, and which he believed would be repealed by those who are to come into power under the Constitution now forming, be it so. He, Mr. B. could not agree with them. If he were an Eastern Shore man, he certainly would not be willing to trust to a majority whose interest it would be to violate the provisions of the act of 1809, more particularly when they were told that the act itself was a nullity, because it conflicted with the Constitution of the U. States. Mr. B. said his only object in offering his amendment, was to secure to the Eastern Shore the benefit of the compromise of 1809, by making it a part of the Constitution. He could not believe that any future Legislature would dare to violate the constitutional provision. The gentleman from Kent, had said that such a constitutional provision would be void in itself—but Mr. B. thought that this was assuming the very thing to be proved. The gentleman from Kent had also said, that the Senate of the U. States were the exclusive judges of the election and qualifications of its members, and that, if the proposed amendment should be engrafted in the Constitution, it would be disregarded by the Senate, in the event of the Legislature electing a person from a different district than the one required by the State Constitution. That the Senate would look only to the fact of the person elected being an inhabitant of the State, and not to the provision in the State Constitution, requiring the election to be made from a particular district in the State. But did not the gentleman perceive that this was also an assumption of the thing to be proven? For, although the Senate were the exclusive judges of the election and qualification of its members, yet, if the States possessed the power to establish Senatorial Districts, the judgment of the Senate would conform to the constitutional rights of the States. It could not be presumed that